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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/596,633  | 03/12/2007  | Halbe Tiemen Hageman | P18177-US1          | 8584             |
| 27045                      7590                      02/04/2009         |             |                      |                     |                  |
| ERICSSON INC.<br>6300 LEGACY DRIVE<br>M/S EVR 1-C-11<br>PLANO, TX 75024 |             |                      |                     |                  |
| EXAMINER  |             |                      |                     |                  |
| SARWAR, BABAR   |             |                      |                     |                  |
| ART UNIT  |             | PAPER NUMBER         |                     |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/596,633

**Applicant(s)**

HAGEMAN ET AL.

**Examiner**

BABAR SARWAR

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 March 2007.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 9-26 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 19 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. The title is objected to because of the following informality:

The word "nod" in the title is misspelled.

Appropriate correction is required.

### **Preliminary Amendment**

2. **Claims 1-8** have been cancelled as per preliminary amendment.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claim 9, 11-15, 17-21, 23-26** are rejected under 35 U.S.C. 102(b) as being anticipated by Martin W. Greenwood (GB 2281458 A), hereinafter referenced as Martin.

Consider **claim 9**, Martin teaches a telecommunication apparatus (**Abstract, Page 1 lines 1-4, Fig. 1**) having a plurality of traffic handling units (**Fig. 1 element 26**), and at least one power supply unit (**Fig. 1 element 12**) for powering the plurality of traffic handling units, comprising: a control means (**Fig. 1 element 18**) adapted to determine a power budget based on a power criterion (**Abstract**); and the control means operable to activate an amount of traffic handling units of the plurality of traffic handling units having a total power consumption equal to or less than the power budget

**(Abstract, Page 2 lines 6-20)**; and the control means operable to activate an amount of power supply units of the at least one supply units matching the total power consumption of the amount of activated traffic handling units **(Abstract, Page 1 lines 1-27, page 2 lines 1-35, Page 3 lines 1-35, and page 4 lines 1-14, Figs. 1-2)**.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Hagstrom (US 5410740), hereinafter referenced as Hag.

Consider **claim 10**, Martin discloses everything claimed as implemented above (see claim 9). However, Martin does not specifically teach that the control means are adapted to transfer active traffic from a traffic handling unit which is to be de-activated, to one or more of the activated traffic handling units, before de-activating the to be de-activated traffic handling unit. Hag teaches that the control means are adapted to transfer active traffic from a traffic handling unit which is to be de-activated, to one or more of the activated traffic handling units, before de-activating the to be de-activated traffic handling unit **(Col 4 lines 8-36, Fig. 1, where Hag teaches that the transceivers, with call in progress, are allowed to receive and transmit during power outage and transmissions being handled by other non-effected base stations)**.

Therefore it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify Martin by specifically providing the control means are adapted to transfer active traffic from a traffic handling unit which is to be de-activated, to one or more of the activated traffic handling units, before de-activating the to be de-activated traffic handling unit, as taught by Hag, for the purpose of the telecommunication apparatus to continue functioning during a power failure as discussed in **Col. 1 lines 44-47**

Consider **claim 11**, Martin discloses everything claimed as implemented above (see claim 9). In addition, Martin teaches that a maximum power output of a subgroup of the plurality of power supply units matches a maximum power consumption of a subgroup of the plurality of traffic handling units (**Abstract, page 1 lines 13-21, page lines 6-19, figs. 1-2**).

Consider **claim 12**, Martin discloses everything claimed as implemented above (see claim 9). In addition, Martin teaches that the control means further comprises: a power status monitor for determining the power budget based on the power criterion (**Fig. 1 element 18**); a regulator for generating a regulator signal from an amount of active traffic (**Fig. 1 element 14**); and a decider for deciding on an activation of one or more of the plurality of power supply units based on the power budget as determined by the power status monitor, the regulator signal and an actual power consumption (**Abstract, page 1 lines 13-21, page lines 6-19, figs. 1-2**).

Consider **claim 13**, Martin discloses everything claimed as implemented above (see claim 12). In addition, Martin teaches that the decider comprises a decision

mechanism for taking account of the power budget as a limit value, the regulator signal as a desired value, and the actual used power as a factual value, the decision mechanism being adapted for activating as many power supply units and traffic handling units as required to match the regulator signal, the decision mechanism however being adapted to activate no more power supply units and traffic handling units than allowed by the power budget (**Abstract, Page 1 lines 1-27, page 2 lines 1-35, Page 3 lines 1-35, and page 4 lines 1-14, Figs. 1-2).**

Consider **claim 14**, Martin discloses everything claimed as implemented above (see claim 9). In addition, Martin teaches that the control means further comprises: a stay alive mechanism operable, when the power budget is under a first, predetermined level, to only activate power supplies and traffic handling units to process emergency calls; the stay alive mechanism operable, when the power budget is under a second, predetermined level which is lower than the first level, to not activate any of the traffic handling units and only keep the control means and further monitoring hardware active, and the stay alive mechanism operable, when the power budget is under a third, predetermined level which is lower than the second level, to shut down the telecommunication apparatus (**Abstract, Page 1 lines 1-27, page 2 lines 1-35, Page 3 lines 1-35, and page 4 lines 1-14, Figs. 1-2).**

Consider **claim 15**, Martin discloses everything claimed as implemented above (see claim 9). In addition, Martin teaches that the power criterion comprises at least one selected from the group consisting of: an amount of solar cell generated power, a charging condition of a battery for supplying power to the apparatus, a value of a mains

voltage supplied to the apparatus, an amount of fuel in a fuel tank of a generator for generating power for feeding the apparatus, and a failure of a power supply unit

**(Abstract, Figs. 1-2).**

**Claim 16**, as analyzed with respect to limitations discussed in claim 10.

**Claim 17**, as analyzed with respect to limitations discussed in claim 11.

**Claim 18**, as analyzed with respect to limitations discussed in claim 12.

**Claim 19**, as analyzed with respect to limitations discussed in claim 13.

**Claim 20**, as analyzed with respect to limitations discussed in claim 14.

**Claim 21**, as analyzed with respect to limitations discussed in claim 15.

**Claim 22**, as analyzed with respect to limitations discussed in claim 10.

**Claim 23**, as analyzed with respect to limitations discussed in claim 11.

**Claim 24**, as analyzed with respect to limitations discussed in claim 12.

**Claim 25**, as analyzed with respect to limitations discussed in claim 13.

**Claim 26**, as analyzed with respect to limitations discussed in claim 14.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BABAR SARWAR whose telephone number is (571)270-5584. The examiner can normally be reached on MONDAY TO FRIDAY 09:30 A.M -05:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NICK CORSARO can be reached on (571)272-7876. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BS/

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